

**October 7, 2014**

**2014 COAC TRADE EFFICIENCY SURVEY**

**Visibility**

**The COAC recommends that CBP and PGAs partner with the trade community to target PGA requirements training and promote visibility of holds in ACE/ACS.** We recognize and encourage the implementation of the One US Government at the Border Single Window approach, coupled with the PGA Message Set will provide greater visibility to the trade community as to the reasons for the holds. We encourage the Partner Government Agencies to become early adopters of PGA Message Set, allowing for early submission of information so the PGA may make earlier risk assessment decisions on admissibility of cargo.

**Status: Motion carried – unanimous**

**The COAC recommends that CBP task COAC to define delays and holds and ensure a process exists for those types that require data capture.**

**Status: Motion carried – unanimous**

Once delays and holds are defined in accordance with 2013 operations, **COAC recommends that CBP develop national import/export port metrics** as a method a) to understand the complexities associated with goods release by mode of transport and region and b) to achieve standardization of best operating practices across ports.

**Status: Motion carried – unanimous**

**The COAC recommends sharing the results with the Centers of Excellence and Expertise via the Industry Working Groups to achieve industry-specific best practices.**

**Status: Motion carried – unanimous**

With strategic efforts such as the implementation of CEE's, streamlining and integration of PGAs via trade processes, and the National Export Initiative and Export Control Reform, it is important for CBP to continue to collaborate with COAC to seek ways to measure and improve trade processes and reduce freight dwell. **We recommend CBP provide the trade with web-based metrics regarding export and import delays and holds on a 1USG basis.**

**Status: Motion carried – unanimous**

**We recommend the continuation of the Center Industry Working Group metric sharing to generate meaningful bi-directional dialogue that will generate successes in meeting the objectives of both CBP and the trade.**

**Status: Motion carried – unanimous**

### **Knowledge Sharing**

**The COAC recommends that CBP share the survey information with the Partner Government Agencies (PGAs) to achieve a better understanding by the PGAs of the impact of cargo holds, detention and dwell times on the international supply chain.** Establishing integrated policies serves to remove port variation, regulatory misunderstandings and trade inefficiency, a key contributor to cost.

**Status: Motion carried – unanimous**

**The COAC recommends that CBP share the results of the 2013 AD/CVD questions with relevant government entities when discussing issues related to the retrospective system of AD/CVD enforcement and collection.** The 12th COAC made a formal recommendation based on several reasons that the AD/CVD system be changed to a prospective system similar to those utilized by all global trading partners. The feedback in this survey indicates that the larger trade community strongly supports this earlier COAC recommendation and would favor a prospective system. As this subject is often a topic of discussion in various forums in which CBP participates, the COAC recommends that CBP communicate this feedback in the appropriate forums.

**Status: Motion carried – unanimous**

When shipments are stopped or paused at the ports, the results tell us the respondents are favorable to dealing with CBP, as compared to the PGA (in general). **COAC recommends that CBP champion a knowledge sharing exercise between PGA's and CBP specifically around holds / freight stops to align best practices and identify process improvements.** Accomplishing this review in conjunction with the Centers will ensure positive benefits for the trade. We anticipate that the metrics will reveal the positive impact to the trade in the areas of decreased freight dwell, improved targeting, and increased customer service.

**Status: Motion carried – unanimous**

### **Integrated Customer Service Model**

**We recommend CBP advocate for an integrated customer service model with the PGA's.** Synthesizing the current customer service design of CBP and PGAs will benefit both trade and security. Additionally, using the Centers to aid in the integration of a service model is most beneficial to impact processing times and freight dwell.

**Status: Motion carried – unanimous**

### **Annual Trade Efficiency Survey**

**We recommend the continuation of an annual COAC survey to assist in prioritization, measure success, obtain satisfaction feedback, and begin establishing trends.**

**Status: Motion carried – unanimous**

### **Export Subcommittee:**

The success of the air manifest progressive filing model is dependent upon the empowerment of transport intermediaries to protect their operational reliability by submitting their own data into the export system. Similar to the ACAS pilot, it is therefore critical that freight forwarders be included in the air export manifest pilot.

**We recommend that the air automated export manifest pilot specifically include freight forwarders as participants to transmit house air waybill level data to the export manifest system on behalf of the air carrier.**

**Status: Motion carried – unanimous**

### **One US Government at the Border Subcommittee**

#### **Import Mapping Working Group (IMWG)**

COAC voted to adopt the import mapping education packages as submitted. The COAC further suggests that CBP continue their dialogue with the Partner Government Agencies, and the Border Interagency Executive Council (BIEC) on the opportunities for improvement and continue to work with the trade on solutions.

**Status: Motion carried – unanimous**

## **Food and Drug Administration Working Group (FDA-WG)**

### **1USG COAC Recommendation #1:**

Consistent with the 1USG single window concept, CBP and FDA should accept and review advance data submissions as early as possible in the transit cycle to allow for preclearance prior to arrival. Earlier, consolidated entry submissions would provide the agencies (CBP, FDA, and other PGAs) with greater upstream visibility to assess security and admissibility risks, engage the trade to resolve risks, and provide for earlier admissibility decisions, ideally well before the physical arrival of the goods at the port. CBP should share arrival information with FDA and the other PGAs as soon as possible, upon receipt, rather than holding it for a specified time based on MOT.

**Status: Motion carried – unanimous**

### **1USG COAC Recommendation #2:**

Working with FDA, CBP should develop a mechanism in ACE for importers/filers to amend specific FDA data elements, including port codes, without having to cancel and replace the entire entry.

**Status: Motion carried – unanimous**

### **1USG COAC Recommendation #3**

Foreign site identification numbers (e.g. MID, DUNS, IOR, FEI, FFR, etc.) used by CBP, FDA and other agencies in ACE should be reduced to a single identifier, creating a uniform standard in ACE/ITDS. The creation and maintenance of FEIs requires B28res FDA resources that could be better deployed to other higher risk targeting activities. Similarly, when an importer does provide multiple identification numbers for a foreign facility (e.g., FFR and DUNS) and these numbers are aligned, the targeting should be lower.

**Status: Motion carried – unanimous**

### **1USG COAC Recommendation #4:**

FDA transactional messaging built into ACE should be specific and timely, in real-time, notifying the filer what's missing, incorrect, or has been changed by FDA, and a full audit trail should be maintained for any changes that have been made to an entry.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #5:**

CBP should work with FDA to define optional Intended Use Codes in the PGA Message Set allowing the trade to indicate reasons for disclaiming FDA on certain imported goods where the HTS code may trigger but the goods aren't subject, thereby avoiding the need for manual review.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #6:**

CBP should include an FDA Workshop as a regular breakout session at the annual Trade Symposium, where importers/filers have an open forum to discuss issues and ask questions. The relevant CEEs should also partner with FDA to host periodic outreach and training events for importers and filers, with targeted training at ports with higher rates of non-AMPs.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #7:**

CBP and FDA should provide guidance to the trade regarding the compliant use of Section 321 entries for FDA-regulated goods.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #8:**

CBP should collaborate with FDA to implement a standardized filer evaluation process, based on nationally published standards and documented written guidance to the brokerage industry on how the evaluations will be conducted. Entry data sent by CBP to FDA should include the filer's processing port, so FDA knows where to target the related filer evaluation when Remote Location Filing is being used. FDA messaging to filers via ACE is critical to improving data quality and is a key component in a standardized filer evaluation.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #9:**

CBP and FDA should consider consolidating and integrating FDA field/port operations into corresponding CBP Centers of Excellence and Expertise (CEEs), to provide better uniformity and resource utilization.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #10:**

CBP, via the BIEC, should encourage FDA and other PGAs to continue to consult with the trade via COAC and its subcommittees and working groups, in alignment with the 1USG single window concept. In addition, FDA should use periodic trade surveys to identify current areas of opportunity, allowing the agency to better focus on areas that need further analysis or attention.

**Status: Motion carried – unanimous**

#### **1USG COAC Recommendation #11:**

To ensure full agency buy-in, any actions taken to fulfill these recommendations should be pushed down from the Commissioner level to the operational level at both CBP and FDA.

**Status: Motion carried – unanimous**

#### **Trusted Trader Subcommittee:**

**The COAC recommends that CBP complete the selection process for the Trusted Trader Pilot and report on a regular basis the ongoing experience of the participants.**

**Status: Motion carried – unanimous**

With the release of C-TPAT Exporter Entity, the **COAC recommends setting out a list of meaningful initial and long term benefits while soliciting from the Trade additional advantages associated with the initiative.**

**Status: Motion carried – unanimous**